PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Perlich et al.

Group Art Unic: To be assigned

Serial No.: To be assigned

Examiner: To be assigned

Filed: November 28, 2001

Docket No.: 271602-1010

F ... METHODS, APPARATUS, AND COMPOSITIONS FOR CONTROLLING ORGANISMS IN BALLAST WATER

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents Washington, D.C. 20231

This information disclosure statement is filed in accordance with 37 C.F.R. §§ 1.56, 1.97, and 1.98, and specifically: Sir:

(within Three months of filing national application; or date of entry of international application; or before X muling date of first office action on the merits; whichever occurs last) under 37 CFR 1.97(c) together with either a: Statement Under 37 C.F.R. 1.97(e), or a \$180.00 fee under 37 CFR 1.17(p), or (After the CFR 1,97(b) time period, but before the final office action or notice of allowance, whichever under 37 CFR 1.97(d) together with a: Statement under 37 CFR 1.97(e), and a \$180.00 petition fee set forth in 37 CFR 1.17(p). (Filed after final office action or notice of allowance, whichever occurs first, but before payment of the

issue fea) . At any time during the . to deposit account pendency of this application, please charge any fees required to Deposit Account 20-0778 pursuant to 37 CFR 1.25. The Commissioner is hereby requested to credit any overpayment to Deposit Account No. 20-0778.

Applicant(s) submit herewith Form PTO 1449 - Information Disclosure Citation together with copies of patents, publications or other information of which applicant(s) are aware, which applicant(s) believe(s) may or may not be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 Ø CFR 1.56. As required by 37 C.F.R. §1.98(a), a legible copy of each document is provided.

A concise explanation of the relevance of foreign language patents, foreign language publications and other foreign language information listed on PTO Form 1449, as presently understood by the individual(s) designated in 37 CFR 1.56(c) most knowledgeable about the content is given on the attached sheet, or where a foreign language patent is cited in a search report or other action by a foreign patent office in a counterpart foreign application, an English language version of the search report or action which indicates the degree of relevance found by the foreign office is listed on the form PTO 1449 and is enclosed herewith.

The following rights are reserved by the Applicant(s): the right to establish the patentability of the claimed invention ver any of the listed documents should they be applied as reference, and/or the right to prove that some of these documents may not be prior art, and/or the right to prove that some of these documents may not be enabling for the teachings they purport to offer.

PAGE 2/92 * RCVD AT 11/18/2003 5:07:49 PM [Eastern Standard Time] * SVR:USPTO-EFXRF-1/0 * DNS:8729469 * CSID: * DURATION (mm-ss):22-04

This statement should to be construed as a representation that an expansitive search has been made, or that information more material to the examination of the present application does not exist. The Examiner is specifically requested not to rely solely on the materials submitted herewith. The Examiner is requested to conduct an independent and thorough review of the documents, and to form independent opinions as to their significance.

It is requested that the information disclosed herein be made of record in this application and that the Examiner initial and return a copy of the enclosed PTO-1449 to indicate the documents have been considered.

Respectfully Submitted, .

THOMAS, KAY

Robert E. Stachler, II, Reg. No. 36,934

100 Galleria Parkway, Suite 1750 Atlanta, Georgia 30339-5948 770-933-9500

EXPRESS MAIL

I hereby cartify that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" in an envelope addressed to: Commissioner of Patents and Trademarks, Box: Patent Application, Washington, D.C. 20231, on November 28, 2001.

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Page 1 of 1

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Perlich et al.

Group Art Unit: To be assigned

Serial No.: 09/996,135

Examiner: To be assigned

Filed: November 28, 2001

Docket No.: 271602-1010

For: METHODS, APPARATUS, AND COMPOSITIONS FOR CONTROLLING ORGANISMS IN BALLAST WATER

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Assistant Commissioner for Patents Washington, D.C. 20231

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under 37 CFR 1.97(b), or (within Three months of filing national application, or date of entry of international application; or before \boxtimes mailing date of first office action on the merits; whichever occurs last) under 37 CFR 1.97(c) together with either a; Statement Under 37 C.F.R. 1.97(e), or a \$180.00 fee under 37 CFR 1.17(p), or (After the CFR 1.97(b) time period, but before the final office action or notice of allowanca, whichever occurs first) under 37 CFR 1.97(d) together with a: Statement under 37 CFR 1.97(e), and a \$180.00 petition fee set forth in 37 CFR 1.17(p). (Filed after final office action or notice of allowance, whichever occurs first, but before payment of the issue fee) __ to deposit account _. Please charge \$___

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PAGE 6/92 * RCVD AT 11/18/2003 5:07:49 PM [Eastern Standard Time] * SVR:USPTO-EFXRF-1/0 * DNIS:8729469 * CSID: * DURATION (mm-ss):22-04

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Respectfully Submitted,

THOMAS, KAYDEN, HORS

By:

Robert E. Stachler, II, Reg. No. 36,934

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CERTIFIED MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as "First Class Mail," in an envelope addressed to: Assistant Commissioner of Patents and Trademarks, Washington, D.C. 20231 on March 5, 2002.

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Page 1 of 1

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Postcord receipt: Please apply until room stamp and return to: SMITH, GAMBRELL & RUSSELL, L.L.P.

. Attorney Dkt No. Applicant

Serial No.:

Filed For. : 34006.002

Thomas Perlich 09/996,135

November 28, 2001

METHODS, APPARATUS AND COMPOSITIONS FOR CONTROLLING ORGANISMS IN BALLAST WATER

Information Disclosure Statement, PTO Form 1449 and cited references

RES/kms

February 7, 2003

PATENT

Atty. Dkt No. 34006.002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:

Thomas Perlich

Serial No.:

09/996,135

Group Art Unit: 1724

Filed:

November 28, 2001

Examiner: To Be Assigned

For

METHODS, APPARATUS, AND COMPOSITIONS FOR CONTROLLING ORGANISMS IN BALLAST WATER

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents Washington, D.C. 20231

Pursuant to the duty of disclosure under 37 C.F.R. 1.56, Applicant is enclosing an Information Sir: Disclosure Citation Form (PTO-1449) which lists the references cited in the International Search Report issued for corresponding International Appin. No. PCT/US01/44370 mailed November 15, 2002.

Applicant certifies under 37 C.F.R. 1.97(e)(1) that all documents submitted herewith were first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement. Therefore, it is respectfully urged that no fees are required for the Examiner's consideration of the documents listed in this Information Disclosure

It is respectfully requested that the cited documents be considered by the Examiner in the above-Statement. identified patent application and that the cited documents be made officially of record therein. It is further requested that a listing of the same appear on the face of any patent which may issue from this application.

Respectfully submitted,

SMITH, GAMBRELL & RUSSELL, LLP

Robert E. Stachler, II, Reg. No. 36,934

1850 M Street, NW, Suite 800

Washington, D.C. 20036 Telephone: (202) 263-4300

Date: February 7, 2003

PAGE 37/38 * RCVD AT 11/18/2003 4:42:56 PM [Eastern Standard Time] * SVR:USPTO-EFXRF-1/5 * DNIS:8729469 * CSID: * DURATION (mm-ss):13-56

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Examiner's	,	DOCUMENT	DATE	NAME	CLASS	SUB- CLASS	FILING DATE, IF APPROPRIATE
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		1996, pp. 391-417 Oemcke D., "The Treatment of Ships' Ballast Water", Ecoports Monograph. Series No. 18, March
	AP	Oemcke D., "The Treatment of Ships Ballast Water,"
		1999, pp. 1-92 DATE CONSIDERED:
EXAMINER:		DATE SOLUTION

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 809; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.